



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.     | CONFIRMATION NO. |
|--|-------------|----------------------|-------------------------|------------------|
| 09/359,426   | 07/22/1999  | ALLAN WILLIAM CRIPPS | 064727.0105             | 2788             |
| 7590   | 10/14/2003  |                      | EXAMINER                |                  |
| BAKER & BOTTS LLP<br>THE WARNER<br>1299 PENNSYLVANIA AVENUE NW<br>WASHINGTON, DC 200042400 |             |                      | DEVI, SARVAMANGALA J N  |                  |
|  |             |                      | ART UNIT                | PAPER NUMBER     |
|  |             |                      | 1645                    |                  |
|  |             |                      | DATE MAILED: 10/14/2003 |                  |

Please find below and/or attached an Office communication concerning this application or proceeding.

|                        |                                      |                                      |
|------------------------|--------------------------------------|--------------------------------------|
| <b>Advisory Action</b> | Application No.<br><b>09/359,426</b> | Applicant(s)<br><b>Cripps et al.</b> |
|                        | Examiner<br><b>S. Devi, Ph.D.</b>    | Art Unit<br><b>1645</b>              |

Application SN: 09/359,426  
Art Unit: 1645

**ATTACHMENT TO ADVISORY ACTION**

**Item 2.**

In claim 9, the replacement of the previous recitation 'another ... protein .... protein fragment' with the limitation, 'a second ... protein or a fragment of said second protein' changes the scope of the claim, and raises new matter issue under 35 U.S.C 112, first paragraph, thus requiring further consideration.

**Item 10.**

The supplemental IDS filed after the Final Office Action does not comply with the certification requirement under 37 CFR 1.97.

This application is remains sequence non-compliant as indicated via paragraph 3 of the final Office Action mailed 03/20/03.

October 2003

*SD*  
S. DEVI, PH.D.  
PRIMARY EXAMINER